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S PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231 www.uspto.gov

APPLICATION NUMBER

LYON & LYON LLP

SUITE 4700

22249

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

09/920,785

633 WEST FIFTH STREET

LOS ANGELES, CA 90071

08/01/2001

Paul K. Nakane

266/106

CONFIRMATION NO. 5161

FORMALITIES LETTER

OC000000006523674*

Date Mailed: 09/07/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

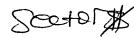
12/05/2001 SDENBOB1 00000078 09920785

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65.00 OP

2/04/01







Patent Attorney Docket: 266/106

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE									
ln	re the A	application of:)) Group Art Unit: 1645						
Inventor: Paul K. Nakane)						
Se	rial No.	: 09/920,785)						
Fil	ed: Au	gust 1, 2001))						
		ID ANTIBIOTIC SUSCEPTIBILITY)))						
	In re the Application of: Inventor: Paul K. Nakane Serial No.: 09/920,785 Filed: August 1, 2001 For: RAPID ANTIBIOTIC SUSCEPTIBILITY TEST TRANSMITTAL OF MISSING PARTS Box Missing Parts Commissioner for Patents Washington, D.C. 20231								
Com	mission	er for Patents							
Sir:									
I.	DOCUMENTS ENCLOSED:								
	CFR § 1.53(f), which was mailed by the Patent Office on September 7, 2001, enclosed								
	\boxtimes	Declaration							
	\boxtimes	Power of Attorney: Separate or Combined with Declaration							
	\boxtimes								
the U	Inited Sta	tes Postal Service on the date shown below	with sufficient postage as 'Express Mail Post Office To						
Expre	ess Mail L	abel No.	Name of Person Mailing Paper						
<u>Octo</u>	ber 24, 2	001	Jeizel M. Jakin						
Date	of Depos	sit	Signature of Person Mailing Paper						

Patent

Attorney Docket: 266/106

METHOD OF PAYMENT OF FEES: IV.

\boxtimes	A check in the amount of \$65.00 is enclosed to cover the above fee(s).				
	Charge Lyon & Lyon's Deposit Account No. 12-2475 in the amount of				
	The Commissioner is authorized to charge Lyon & Lyon's Deposit Account No. 12-2475 for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. 12-2475 .				

Respectfully submitted,

LYON & LYON LLP

By:

Bernard F. Rose Reg. No. 42,112



PATENT TRADEMARK OFFICE

LYON & LYON LLP Suite 4700 633 W. Fifth Street Los Angeles, CA 90071 (213) 489-1600

Patent

Attorney Docket: 266/106

 \bowtie A copy of the Notice to File Missing Parts of Application under 37 CFR § 1.53(f) II. REQUEST FOR EXTENSION OF TIME: The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply. Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below: **EXTENSION FEE FOR SMALL** FEE FOR OTHER THAN **ENTITY** (months) **SMALL ENTITY** one month \$55.00 \$110.00 \$400.00 two months \$200.00 three months \$460.00 \$920.00 four months \$720.00 \$1,440.00 five months \$980.00 \$1,960.00 Fee

If any extension fee is required, please consider this a petition therefor.

III. FILING FEES

Applicant claims small entity status pursuant to 37 CFR 1.27.

BASIC FILING FEE:									
Total Claims		-	20	_	0	х	\$18.00	\$0.00	
Independent Claims		-	3	=	0	X	\$84.00	\$0.00	
Multiple Dependent Claims	lent Claims \$280 (if applicable)							\$0.00	
Surcharge 37 CFR § 1.16(e)	\$130	(if applicable)						\$130.00	
TOTAL OF ABOVE CALCULATIONS									
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.									
Extension of Time (from above)									
Assignment – \$40 (if applicable)									
TOTAL FEES SUBMITTED HEREWITH									